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nature without noticing the ambiguities so clearly pointed out by Ritchie in the term "nature." He opposes intuitionism to utilitarianism without considering a third possibility, and similarly he opposes natural law to utilitarianism without giving any serious attention to the conception of a common will. He does not notice the implications of modern social psychology, which shows that the individual is a social outcome rather than a social unit, and that hence by virtue of his very dependence upon the social and political organism for freedom, rights, and development, he is bound to act as a member of this organism. This philosophical inadequacy, however, by no means interferes with the value of the work from other standpoints. For its able summaries, and its candid and judicious comments certainly make it a useful and welcome treatise.

JAMES H. TUFTS.

Histoire des Rapports de l'Église et de l'État en France de 1789 à 1870. Par A. DEBIDOUR. (Paris: Félix Alcan. 1898. Pp. ii, 740.)

THIS large and elaborate history of the relations of Church and State in France during nearly a century, is the most valuable contribution to modern church history that has appeared for some time. The subject itself is of great importance and interest, comprising the whole story of the Church during the French Revolution, the settlement by Napoleon, and the resulting history down to the fall of the Second Empire. It involves the fundamental principles of ecclesiastical policy and innumerable interesting problems.

One of the most striking features of the book is the charming style in which it is written. One may read page after page of these long and solidly printed pages, not only without the slightest weariness, but with increasing interest and delight. The keen analyses, impartial judgments, broad views and critical scholarship find expression in a style which for grace and rhythm is rarely found in historical prose.

In his preface, the author, well known to readers of modern French history, declares that he has no thesis to maintain nor any special plea to present, but he does believe that a clear historical narrative will bring out two fundamental principles equally precious; freedom of worship and the sovereignty of the state. "The State," he says, "has no right to proscribe or fetter a religion which does not disturb public order nor has it any right to legislate in spiritual matters. But no religion ought, in my opinion, to encroach on the domain of civil society, and if, in consequence of such abuse, a conflict should arise between the two powers, the last word ought always to belong to the State."

The book opens with an extremely helpful and suggestive résumé of the relations of Church and State in the old régime, especially considering the Reformation settlement and its results in France down to the breaking out of the Revolution of 1789. The body of the work is divided into two parts: the first part, entitled "Revolution," dealing

with the history to the fall of Napoleon; the second, entitled "Reaction," continuing the history from 1814 to 1870. A "Conclusion" summarizes briefly but clearly the whole course of the history, noting the general principles involved and the most striking problems presented. An appendix furnishes an exceedingly valuable collection of documents comprising over a score of statutes, ordinances, decrees and encyclicals, those issued in Latin being given in a French translation. The work is copiously supplied with foot-notes, each chapter begins with a comprehensive bibliography of authorities, and an analytical table of contents completes the volume.

To give even the briefest sketch of the course of the history would require too much space, but certain points of special interest should not be left unnoticed.

The ecclesiastical problem which faced the nation in 1789 could be solved in only three ways: 1, Separation of Church and State; 2, A new Concordat, following that of 1516; 3, A state law imposed upon the Church by the civil authority. This last our author says rightly was the only course morally possible. Indeed it may be said fairly that those who condemn outright the Revolution settlement show themselves profoundly ignorant of the historical conditions. This settlement found its completion in the Concordat of 1801, recognizing the Roman Catholic religion as that of the great majority of French citizens, and allowing its free public exercise in conformity with the regulations of police.

M. Debidour explains the delay in the publication of the Concordat from July, 1801, when it was signed, until April, 1802, that Napoleon might join with it the Organic Articles which practically reasserted the Gallican liberties. If these had been revealed immediately after the signing of the Concordat, the Pope might have hindered him from carrying them out by retarding indefinitely, as far as it depended on him, the execution of the treaty. The court of Rome did protest, in vain however, against the Organic Articles, regarding which it had not been consulted and which Napoleon presented as inseparable from the Concordat. Here however Napoleon committed the error to which all victors are liable, that of pressing their victims too far and thus losing the fruits of their own victory. The Church in France was overwhelmed apparently by the civil power. The tendency therefore, for relief, was to turn to the Pope with a submission more docile and less independent than in the old régime. It is going too far, however, to say in the words which conclude the chapter: "The old régime made the clergy of France Gallican, Napoleon made it ultramontane." As I have said elsewhere,¹ "We might as well ask if the Concordat brought about ultramontanism everywhere. The Vatican Council of 1870 was not the council of French bishops alone; indeed there was quite as pronounced opposition to its decrees by the French clergy as by those of any other country in Europe." Ultramontanism was the next step in the papal policy; it was due to the restoration of the Jesuits, the abrogation of Napoleon's Concordat and

¹ *Annuaire Report of the American Historical Association* for 1895, p. 483.

the Organic Articles, and the substitution of a new Concordat in 1817, practically though not by legislation.

A careful review of the succeeding history in France shows the increasing friction between the two powers, the opposition of the Church becoming ever more dangerous to the state. The Church gained steadily a large part of the ground which it lost at the time of the Revolution. That it did not gain more is due to the growth of the modern spirit of democracy, the development of the common people forming the great middle class, free and sovereign. Grateful to the Revolution for what it had gained, the people suspected that party which so long checked the legitimate development of this great movement and retarded for nearly a century the definite establishment of the Republic. Since the establishment of the Republic, it is true that the clergy under the direction of a shrewd and politic Pope have changed somewhat their attitude toward the established government.

What the results will be it is too early to predict. Will they become reconciled once for all? Will they make mutual concession? Will one submit to the law of the other? Will they begin anew the strife? Will they enter into a complete separation? We know not and no one else knows.

CHARLES L. WELLS.

Die Kolonialpolitik Napoleons I. By GUSTAV ROLOFF. [Historische Bibliothek. Band X.] (Munich and Leipzig : R. Oldenbourg. 1899. Pp. xiv, 258.)

In the course of those repeated and almost frantic efforts to destroy the Napoleon legend which have been continuous in France since 1870 much wholesome truth has been widely disseminated, but with it some pernicious error. The men of Lanfrey's school pose like their leader as dispassionate seekers after truth, as stern devotees of historical science. But their bitter partisanship is easily discoverable by any who care to follow them in the course of their researches. Among other calumnies which he and they have circulated is the statement that Napoleon neither understood nor was interested in colonial affairs. This is a most remarkable charge, for any investigator may disprove it by means of the officially selected and published correspondence of Napoleon, volumes which stand on the shelves of any good library. But those who go further will be even more amazed by such effrontery. The author of this meritorious volume has examined the archives of the Navy Department in France and gives in his pages abundant proof that Napoleon's care for the colonies of France was intelligent, painstaking and assiduous. For reasons unknown to him the archives of the Foreign Office were not put at his disposal. But others have been permitted freely to search them, and they too furnish abundant evidence to the same effect.

This volume was needed. Everyone knows that the French lost their colonies in the Napoleonic epoch : most suppose that the loss was due to the Emperor's neglect. Dr. Roloff proves how utterly false this supposition is. He gives a succinct and readable narrative of the facts, he sup-